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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,465	01/27/2004	Takayuki Hirose	P24846	1170
7055 7590 07/09/2008 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				
EXAMINER				
WORKU, NEGUSSE				
ART UNIT		PAPER NUMBER		
2625				
NOTIFICATION DATE		DELIVERY MODE		
07/09/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

### Office Action Summary

**Application No.**

10/764,465

**Applicant(s)**

HIROSAWA ET AL.

**Examiner**

NEGUSSIE WORKU

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-15 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1 and 3-15 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/CIS/IC)  
Paper No(s)/Mail Date 05/29/08; 10/05/05; 05/03/04  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. This is a replay to the amendment filed on 05/28/08, in which, claims 1, 3-15 are pending. Claims 1 and 9 are independent and claims 3-8 and 10-15 are dependent.

Applicant's arguments with respect to claims 1 and 9 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues, that the prior art does not teach that the processing condition including file format information inputted from operation panel. Upon further review, the examiner has incorporated Koga et al (USP 5717794), to further teach this limitation.

### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 05/29/08; 10/05/05; 05/03/04, have been reviewed. The submission is in compliance with the provisions of

Art Unit: 2625

37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (USP 7,265,859) in view of Inaba et al. (USP 6,466,327, and further in view of Koga (USP 5,717,794).

Regarding to claim 1, Sato (859) teaches a network scanner for reading an original document and forwarding read data to a designated terminal connected to a network, (a scanner 2070 of fig 2 and 3, read document and transfer scanned data to external device facsimile in connection with LAN/WAN network interface 2011/2051 OF FIG 2, via controller 200 fig 2, [200 acts as multifunction device], col.4, lines10-25), comprising: an operating panel including input means and display means and input unit, (operation unit 2012 as shown in fig 2 and 4, includes a display unit [functional LCD] 2013 and input unit [various keys] shown in fig 4, see col.4, lines 47-60 and col.6, line15-35); and

control means (controller unit 200 of fig 2, includes a CPU 2001 which control the system based on program stored in ROM 2003, col.4, lines 30-35) for acquiring information on a processing condition by controlling the operating panel so as to allow an operator to carry out a prescribed input operation via the operating panel (controller unit 200 of fig 2, includes a CPU 2001 as shown in fig 2, which control the system based on program stored in ROM 2003, [see col.4, lines 30-35], wherein image acquiring process is started on the basis an instruction from CPU 2001 in the control unit 200 via operation unit 2012 includes a display unit so as to allow a user can select a sheets of various sheet size and direction, col.6, lines 5-15, and see also col.4, lines 52-60).

Although Sato (859) shows executing the processes of reading an original document, generating transmission data and forwarding the transmission data to a designated terminal (as shown in fig 2), Sato fails to explicitly disclose executing the processes of reading an original document, generating transmission data and forwarding the transmission data to a designated terminal according to the acquired processing condition.

Inaba (327), in the same area of image forming and processing system, teaches executing the processes of reading an original document, generating transmission data and forwarding the transmission data to a designated terminal according to the acquired processing condition, (when the recording key has been selected [step 702 of fig 7] recording condition are set [step S703 of fig 7], and reader unit 1 reads the original document, thereafter data is transmitted to the external storage device 6 of fig 7, based

on the recording condition, such as number pages, the size of paper and like, see col.5, lines 15-28, and see also col.6, lines 15-20).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Sato (859) to include: executing the processes of reading an original document, generating transmission data and forwarding the transmission data to a designated terminal according to the acquired processing condition.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified image processing device Sato (859) by the teaching of Inaba (327), for the following reasons: (a) It would have provide a simplified setting of image processing system with an effective job control method having a multi function device which includes a copier, a facsimile, a scanner and a printer that can communicate with a plurality external apparatuses, as suggested by Inaba (327).

Therefore, it should be clear to one skilled in the art that anyone of a wide variety of a multifunction processing (MFP) and communication devices can be similarly employed to accomplish this desired result without depending from the teaching of the present invention.

However, Sato '859' in combination with Inaba '327' still dose not teaches a processing condition which includes file format inputted on operation panel.

Koga '794' in the same area of information processing apparatus as shown in fig 1, discloses or teaches processing condition which includes file format inputted on operation panel, (processing condition corrector 116 serves to set and correct the area

to-be-processed, scanner input ("scan image") conditions, recognition conditions, output conditions, etc. through the operation panel 1501 of fig 15, including mouse 125 or the keyboard 126, also a he scanner used to input conditions include such input conditions as the resolution of a scanner, the conditions include such conditions as a character size, a character pitch, character sorts (handwritten or printed, and Japanese, symbols, numerals or English), a font type and vertical or lateral writing in the document to-be-recognized. The output conditions include such conditions as the presence or absence of a space output, the presence or absence of a new-paragraph output and an output file format (text, word processor or TEX). The format "TEX" is a kind of page descriptive language developed by Donald Knuth, col.7, lines 27-44).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified image processing device Sato (859) and Inaba (327), as further combined with Koga '794' for the following reasons: (a) It would have provide a simplified setting of image processing system with an effective job control method having a multi function device which includes a copier, a facsimile, a scanner and a printer that can communicate with a plurality external apparatuses.

As to claim 2, Sato (859) further teaches a network scanner, (a scanner 2070 of fig 2 and 3, read document and transfer scanned data to external device via 200 of fig 2, through LAN 2001 of fig 2), further comprising transmission data composing means (image compression unit 2040 fig 2) that can generate transmission data in any one of a

plurality of file formats, image compression the control means (controller unit 200 of fig 2) allowing an operator to designate one of the file formats for the transmission data as a processing condition from the operating panel (image compression unit 2040, a means for composing the transmission data, and generate data to be transmitted using any of formats such as JPEG, MMR or MH,[see col.5, lines25-30], so that a user can select one of the formats for transmission of data as a processing condition via user interface on the bases of an instruction from CPU 2001, col.5, lines 20-30, and col.6, lines 16-27).

As to claim 3, Sato (859) further teaches a network scanner (a network scanner shown in fig 3) wherein the control means (CPU 2001 of fig 3) displays an icon indicating a selected one of the file formats on the display means (operation unit 2012 includes an LCD 2013 on which touch panel sheet adhered to screen, and plural soft and hard keys for selecting positional information when a soft key is depressed, so that a selection can be made on the display means 2013, wherein soft keys is output to CPU 2001 of the controller unit 200 through operation unit I/F 2006, see col.6, lines 16-30).

As to claim 4, Sato (859) further teaches a network scanner (scanner as shown in fig 4) wherein the control means (instruction from CPU 2001 in controller 200 of fig 3) allows an operator to select a file name for the transmission data from the operating panel as a processing condition (a user can select one of the formats for transmission of



data as a processing condition via user interface 2006 of fig 3, on the bases of an instruction from CPU 2001, col.5, lines 20-30, and col.6, lines 16-27).

As to claim 5, Sato (859) further teaches a network scanner (a network scanner 2070 of fig 4), wherein the input means (operation unit 2012 of fig 4, as input means) of the operating panel (2012 of fig 4) comprises keys (soft and hard touch keys shown in fig 4) that allow entry of characters, (operation panel 2012 includes LCD 2013 with a various of key to input data), and the control means (CPU 2001 of fig 3) allows an operator to enter a file name consisting of a string of characters by operating the keys, (instruction from CPU 2001 in controller 200 of fig 3, allows a user to input data such as file name via operating keys shown in fig 4, col. col.6, lines 16-27).

As to claim 6, Sato (859) further teaches a network scanner, (a network scanner 2070 of fig 4), wherein the control means (controller 200 of fig 2, includes CPU 2001 of fig 3) allows an operator to select one of a standard file name stored in a memory unit (2002 of fig 2) and an arbitrary file name that can be entered from the input means, (controller 200 of fig 2, includes CPU 2001 of fig 3, permits a user to select a predetermined processing from a random access memory RAM 2002 of fig 2, as a working area that can be input from via input means scanner 2070 of fig 3, which includes input keys as shown in fig 4, col.4, lines 30-40).

As to claim 7, Sato (859) further teaches network scanner (scanner 2070 of fig 3), wherein the operating panel (operation unit 2012 of fig 4) includes a touch panel (LCD touch panel 2013 of fig 4) that serves as both the input means (soft and hard keys as shown in fig 4) and display means, (2013 of fig 4), and the control means displays (LCD display 2013 of fig 4) a keyboard containing a plurality of keys for entering characters when an entry of a file name is invited on a screen for designating a processing condition, (operation unit 2012 includes an LCD 2013 on which touch panel sheet adhered to screen, and plural soft and hard keys for selecting positional information when a soft key is depressed, so that a file name entry is can be made on the display means 2013, wherein soft keys is output to CPU 2001 of the controller unit 200 through operation unit I/F 2006, see col.6, lines 16-30).

As to claim 8, Sato (859) further teaches a network scanner (network scanner 2070 of fig 3) further comprising a recording unit for printing said read data (a network scanner 2070, comprise a printing unit 2095 of fig 3, for printing read out data, col.5, lines 42-46).

With respect to claim 9, Sato (859) teaches a network scanner (scanner 2070 of fig 3) for reading an original document and forwarding read data to a designated terminal connected to a network, (scanner 2070 of fig 2, read document for warding

data to a printer 2095 which is a designated terminal for printing out the read data, input/output terminal col. 5, lines 42-46, and col.4, lines 16-20) comprising:

a reading unit (scanner unit 2070 of fig 3) for reading an original document by scanning and generating corresponding image data (col.5, lines 47-55);

a transmission data composing unit (image compression unit 2040 of fig 2) for processing said image data into transmission data, (image compression unit 2040 of fig 2, performs converting and compression and decompression process according to designated formats for processing data into a transmission data, col.5, lines 24-30);

a network control unit (network control unit 104 of fig 1) for forwarding said transmission data to a plurality of terminals connected to said network, (control unit 104 of fig 1, controls the entire operation of image processing unit 101 including transmission unit 107 of fig 1, for forwarding data to plurality of web-server 103 via LAN or WAN network; col.3, lines 59-65);

an operating panel (operation panel 2012 of fig 4) including a display unit (LCD display 2013 of fig 4) and a plurality of input keys (operation panel 2012 of fig 4, includes an LCD display 2013 on which a touch panel to the screen, and plural keys 2014-2017, as shown in fig 4, see col.6, lines 16-25); and a control unit (CPU 201 of fig 2) for controlling actions of said reading unit, (scanner 2070 of fig 3) transmission data composing unit, (2040 of fig 2) network control unit (104 of fig 1) and operating panel (2012 of fig 4, as discussed in col.5, line 32-40, CPU 201 of the controller unit 200 of fig 2 entirely controls access of the various devices connected to the system bus 2007 on the basis of corresponding the control program, therefore CPU 201 controls the

scanner 2070, composing unit 2040, network control unit 101, and operation panel 2012 of fig 2);

wherein said display unit (operation unit 2012 of fig 4) is adapted to list choices of said terminals (web-server 103 of fig 1) and image processing conditions while said input keys (213-218 of fig 4) are adapted to allow selection of said terminals and image processing conditions under control of said control unit (CPU 201 of fig 2), (as discussed in col.4, lines 47-59).

Sato fails to explicitly disclose a choice of terminal according to the acquired processing condition.

Inaba (327), in the same area of image forming and processing system, teaches a choice of terminal according to the acquired processing condition, (when the recording key has been selected [step 702 of fig 7] recording condition are set [step S703 of fig 7], and reader unit 1 reads the original document, thereafter data is transmitted to the external storage device 6 of fig 7, based on the recording condition, such as number pages, the size of paper and like, see col.5, lines 15-28, and see also col.6, lines 15-20).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging apparatus of Sato (859) to include: a choice of terminal according to the acquired processing condition.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified image processing device Sato (859) by the teaching of Inaba (327), for the following reasons: (a) It would have provide a simplified

setting of image processing system with an effective job control method having a multi function device which includes a copier, a facsimile, a scanner and a printer that can communicate with a plurality external apparatuses, as suggested by Inaba (327).

Therefore, it should be clear to one skilled in the art that anyone of a wide variety of a multifunction processing (MFP) and communication devices can be similarly employed to accomplish this desired result without depending from the teaching of the present invention.

However, Sato '859' in combination with Inaba '327' still dose not teach a processing condition which includes file format inputted on operation panel.

Koga '794' in the same area of information processing apparatus as shown in fig 1, discloses or teaches processing condition which includes file format inputted on operation panel, (processing condition corrector 116 serves to set and correct the area to-be-processed, scanner input ("scan image") conditions, recognition conditions, output conditions, etc. through the operation panel 1501 of fig 15, including mouse 125 or the keyboard 126, also a he scanner used to input conditions include such input conditions as the resolution of a scanner, the conditions include such conditions as a character size, a character pitch, character sorts (handwritten or printed, and Japanese, symbols, numerals or English), a font type and vertical or lateral writing in the document to-be-recognized. The output conditions include such conditions as the presence or absence of a space output, the presence or absence of a new-paragraph output and an output file format (text, word processor or TEX). The format "TEX" is a kind of page descriptive language developed by Donald Knuth, col.7, lines 27-44).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified image processing device Sato (859) and Inaba (327), as further combined with Koga '794' for the following reasons: (a) It would have provide a simplified setting of image processing system with an effective job control method having a multi function device which includes a copier, a facsimile, a scanner and a printer that can communicate with a plurality external apparatuses.

As to claim 10, Sato (859) further teaches further teaches a network scanner (scanner shown in fig 2 and 3), wherein said display unit (operation panel 2012 of fig 3) comprises a touch panel that provides at least one of said input keys (operation unit 2012 of fig 3, includes display LCD touch panel 2013 of fig 4 and a various of keys 2014-2017 as shown in fig 4, see col.6, lines 16-25).

As to claim 11, Sato (859) further teaches a network scanner (scanner as shown in fig 2-4), wherein said image processing conditions include at least one of a member of group consisting of a file name, file format, resolution power, density, original document size, copy size and image processing method for said image data, (scanner image processing unit 2080 of fig 2, performs a processing condition such as resolution conversion and selecting various sheet sizes, col.5, lines 19-25 and col.6, lines 6-15).

As to claim 12, Sato (859) further teaches a network scanner (scanner 2070 of fig 2 and 3), wherein said transmission data is transmitted as electronic mail (the data can be transmitted by electronic mail via web client 109 and 109, see col.6, lines 57-62).

As to claim 13, Sato (859) further teaches a network scanner (scanner 2070 of fig 2 and 3), wherein said network scanner is incorporated with a function of a facsimile machine, (a scanner 2070 of fig 2 and 3, read document and transfer scanned data to external device facsimile via modem 2050 in connection with LAN/WAN network interface 2011/2051 of fig 2, via controller 200 fig 2, [200 acts as multifunction device], col.4, lines 20-27).

As to claim 14, Sato (859) further teaches a network scanner (as shown in fig 2 and 3) further comprising a recording unit for printing said image data (scanner 2070 of fig 3, includes printer 2095 of fig 3, col.5, lines 35-40).

As to claim 15, Sato (859), further teaches a network scanner (scanner 2070 of fig 2 and 3) wherein said network scanner is incorporated with a function of a copier (a controller unit 200 acts as a multi function device which has a copying function a print function, see col.4, lines 21-24).

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/  
Examiner, Art Unit 2625  
/Edward L. Coles/  
Supervisory Patent Examiner, Art Unit 2625